

REMARKS

1, 2. Acknowledged.

3, 4. Claims 21, 24, 32 and 35 are believed to be patentable under 35 USC 103(a) over Richardson. Claims 21 and 32 have been amended so that the claims clearly define over Richardson by more clearly specifying "a predetermined size in length and width" for the plastic film. Also, "formed" has been omitted.

As to Claims 24 and 35, the "Sheet" now "contacts and protects entire upper and lower surfaces of a keyboard" which sheet 6 of Richardson does not.

5. Claims 22, 23, 33 and 34 are believed to be patentable under 35 USC 103(a) over Richardson in view of Morse, for substantially the same reasons as Claims 21 and 32 above. The Morse molded cover is made of rubber or plastic material with indicia that is directly molded thereon or may be applied by printing and nothing is disclosed about the same being transparent. Also, Morse clearly indicates that the adhesive strips are entirely optional (col.3, lines 35-37). Likely this is so in Morse, because the molded pockets all conform to the pushbuttons of the telephone. Morse also is not directed to any disposable sanitary cover like Richardson or applicants' covers. Applicants submit that a person having ordinary skill in the art would not obviously reconstruct Richardson by Morse, since that would defeat the entire need for the device which is the subject matter and invention disclosed and claimed in Richardson. Furthermore, when and how would one skilled in the art apply the adhesive strips of Morse to the film of Richardson? The answer, applicants submit, is that he would not be taught to do so.

6. Claims 25-27 and 36-38 are believed to be patentable under 35 USC 103(a) over Richardson, as set forth above with respect to Claims 21, 24, 32 and 35 and over Nopper et al and Weill et al. Nopper includes a plate 40 which includes at least a pair of screws 41 which plate compresses the tailpiece 50 of membrane 24 between the metal or plastic plate 40 and keyboard assembly 36 (col. 4, lines 43-50). Neither Richardson or Nopper et al would not teach anyone having ordinary skill in the art to reconstruct Richardson so that the film of Richardson would enclose the keyboard. The Weill cover is for an entire laptop or notebook computer and would not teach or suggest the reconstruction of Richardson with or without the alleged teaching of Nopper et al, particularly since Nopper et al and Weill are not directed to the disposable film cover of Richardson or of applicants' invention.

With respect to Claims 26 and 37, these claims depend on Claims 24 and 35 and 35 and define the sheet, as an envelope, not shown or suggested by Weill. Entry sleeve 18 of Weill does not appear to be "an elongated top edge portion" as referred to by the Examiner.

With respect to claims 27 and 38, none of the art suggests the specific structure recited in these claims, as admitted by the Examiner. While the Examiner may be correct about sleeping bags, applicants submit that such analogy is inappropriate here, since the opening extends along one side edge portion and generally to a midpoint along a top edge portion. Applicants do not know of even a sleeping bag that shows or teaches such structure. Furthermore, the claimed structure has absolutely nothing to do with the user being right or left handed, but is to provide a species of the invention that permits insertion of the keyboard through the side edge while accommodating the keyboard cable through the opening along the top edge portion of the claimed cover.

7. Claims 28-31 should remain allowable. Claim 39 has been rewritten in independent clean form as Claim 41 and Claim 40 has been written in clean form as Claim 42 dependent on 41.

8. Some of the points have been set forth above and need not be repeated. In view of the Examiner's remarks, "formed" has been deleted so that the roll of Richardson are not covers individually of a predetermined size.

The stretcher member of Richardson is not part of the transparent sheet of pliable plastic film as called for in claims 24 (see claim 21) or 35 (see claim 32).

Since the molded telephone rubber pad of Morse is not intended to be disposable after every use like Richardson, nor is it at all obvious to apply adhesive strips to the roll of Richardson, the Examiner's position seems to be contra-indicated rather than being in accord with 35 USC 103.

Again with Nopper et al using a plate and screws to compress the wrapped around edges of Nopper's molded cover, it again seems to applicants that the Examiner has viewed applicants invention in hindsight.

9. Acknowledged.

10. Applicants noted that the requested telephone interview was not conducted even though some allowable subject matter was noted. After consideration, perhaps a telephone interview would result in a resolution of any remaining issue.

Respectfully submitted;

  
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